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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Eighth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 21st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 28 May 1993, at 3 p.m.

Chairperson: Mr. ALSTON

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* The summary record of the first part (closed) of the meeting appears as document E/C.12/1993/SR.21.

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GE.93-16774 (E)

The meeting was called to order at 3.55 p.m.

ORGANIZATION OF WORK (agenda item 2) (continued)

1. Mrs. JIMENEZ BUTRAGUEÑO expressed a feeling of frustration that the Committee had made so little progress on the issue of the rights of the elderly. Experts had attended the general discussion and much interest had been aroused on the matter among the people she had met. She herself had gathered a large quantity of documentation and had acquired considerable expertise. It would be a pity if the work done by the Committee were to go to waste. If members agreed she would continue to study the matter and update her material.

2. The CHAIRPERSON expressed the Committee's appreciation of her work and requested her to begin to prepare a draft general comment, since there was indeed a need to follow up the work that had been done. He hoped that at a forthcoming session the Committee would be in a position to adopt specific proposals.

3. Mr. ALVAREZ VITA said that he was dismayed that the Committee was preparing to rise without dealing with the matter conclusively, given the great interest that had been evinced. Regretting that so few members of the Committee remained present, he none the less considered that a positive statement regarding the ageing and elderly should be included in the final document. He also suggested that workshops should be set up to examine specific themes, for each of which there should be a special rapporteur; in the case of ageing the rapporteur should be Mrs. Jimenez Butragueño. Finally, he wished to know what had happened with regard to the letter that was to have been drafted to the Government of Panama.

4. The CHAIRPERSON regretted that there had not been time to produce a specific follow-up to the day of discussion on the ageing and elderly. He proposed that a paragraph should be added to the report in the following words. "The Committee noted with deep appreciation the endeavours of Mrs. Jimenez Butragueño in relation to the day of general discussion on the rights of the ageing and elderly in relation to the Covenant on Economic, Social and Cultural Rights. The Committee agreed that it would welcome the submission of a draft general comment on this issue by Mrs. Jimenez Butragueño and that it would also welcome her further suggestions relating to issues that should be addressed by the Committee in its future examination of States parties' reports."

5. He regretted that the letter for the Government of Panama had not yet been drafted. If the Committee agreed, he would himself draft a letter, which he would send to each member of the Bureau and if it was considered acceptable he would send it direct to the Government of Panama.

6. No action had yet been taken with regard to the Dominican Republic because the Committee's draft decision had not yet been adopted by the Economic and Social Council and it would not be appropriate to approach the Dominican Republic until that had been done.

7. Mr. ALVAREZ VITA, while fully endorsing the proposed new paragraph, considered that it should also contain a statement to the effect that the subject of the elderly would be considered further at subsequent sessions of the Committee. He also reiterated his proposal regarding special rapporteurs for specific themes.

8. Mrs. JIMENEZ BUTRAGUEÑO, reminding the Committee that no binding convention existed to protect the rights of the elderly, said that it was an important and pressing matter, particularly for those approaching old age themselves. She hoped that the Committee would be in a position to make a firm statement on the matter after hearing what was said by the Centre for Human Rights at the World Conference on Human Rights in Vienna.

9. The CHAIRPERSON reminded the Committee that at an earlier meeting he had promised to draw up a brief summary of the major points raised in the general discussion on the ageing and elderly. That summary could be used by Mrs. Jimenez Butragueño as a basis for her draft comment, but could be adopted by the Committee only at its next session. He would include in it a statement that a proposal had been made for the appointment of a special rapporteur. The appointment of rapporteurs was not for their Committee to decide, but it would be possible to put a suggestion on the matter to the Commission on Human Rights.

10. Mr. ALVAREZ VITA believed that the Committee and the Chairperson should not underrate themselves. If no member of the Committee objected, there was no reason why his proposal should not be adopted, otherwise he would question the point of the Committee's meeting at all.

11. Mrs. JIMENEZ BUTRAGUEÑO expressed herself satisfied with the Chairperson's proposal to write a summary which she would add to the list of issues. It would be better not to rush into a decision, but to wait until all the members were present. It would then be possible to draft a general comment. She looked forward to the day when there would be a convention on the ageing and elderly as there was on the rights of the child. The Committee must not, however, lose sight of the fact that its primary responsibility was to the Covenant on Economic, Social and Cultural Rights.

12. Mr. TEXIER said that it was difficult to take a decision on the matter with only seven members present. For the time being, the Committee should restrict itself to including a comment in its statement to the World Conference on Human Rights. He added that he approved of the suggestion regarding special rapporteurs, but the matter needed more discussion.

13. Mr. ALVAREZ VITA pointed out that at the previous meeting the Chairperson had ruled that the lack of a quorum could be overlooked. If there were enough members present then, the numbers at the current meeting should suffice and he was anxious for his proposal to be adopted.

14. Mrs. JIMENEZ BUTRAGUEÑO agreed that there were not enough members present to reach a decision regarding special rapporteurs. She added that she herself would not necessarily be the best choice for such a rapporteur on the subject of the elderly: with her wide range of interests she was not necessarily expert enough in that or any other single sphere.

15. Mr. GRISSA said that in order to make any meaningful statement the Committee would have needed to receive the documentation well in advance. As it was, it needed more time to consider the issues that had been raised.

CLOSURE OF THE SESSION

16. After the customary exchange of courtesies, the CHAIRPERSON declared the session closed.

The meeting rose at 4.40 p.m.